

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>LARRY ANTHONY NESBY,</b>	)	
	)	
<b>Petitioner/Defendant,</b>	)	
	)	<b>CIVIL NO. 04-cv-4203-JPG</b>
<b>vs.</b>	)	
	)	<b>CRIMINAL NO. 01-cr-40047</b>
<b>UNITED STATES of AMERICA ,</b>	)	
	)	
<b>Respondent/Plaintiff.</b>	)	

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<b>LARRY ANTHONY NESBY,</b>	)	
	)	
<b>Petitioner/Defendant,</b>	)	
	)	<b>CIVIL NO. 04-cv-4235-JPG</b>
<b>vs.</b>	)	
	)	<b>CRIMINAL NO. 01-cr-40047</b>
<b>UNITED STATES of AMERICA ,</b>	)	
	)	
<b>Respondent/Plaintiff.</b>	)	

**MEMORANDUM AND ORDER**

**GILBERT, District Judge:**

This matter is before the Court on two separate motions for relief pursuant to 28 U.S.C. § 2255, as captioned above. Comparing the two Section 2255 motions, it is clear to the Court that these two cases should be consolidated into one action.<sup>1</sup>

**IT IS HEREBY ORDERED** that the above-captioned cases are hereby **CONSOLIDATED**

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<sup>1</sup> The Court surmises that a month after he filed his first case, Petitioner attempted to amend his original pleading. Because he neglected to write the case number on his amended pleading or correspondence, the Clerk opened a new case.

as one cause of action.

**IT IS FURTHER ORDERED** that the Clerk shall **FILE** a copy of all pleadings from Case No. 04-cv-4235-JPG into Case No. 04-cv-4203-JPG.

**IT IS FURTHER ORDERED** that all future filings in this matter shall be made in Case No. 04-cv-4203-JPG. No further filings shall be made in Case No. 04-cv-4235-JPG.

The Clerk is **DIRECTED** to **CLOSE** Case No. 04-cv-4235-JPG.

**IT IS SO ORDERED.**

**Dated: August 31, 2005**

s/ J. Phil Gilbert  
U. S. District Judge